

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-10 are pending in this application. Claims 7-10 are added by the present response. Claim 1-6 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication 2002/0046407 to Franco.

Addressing the above-noted rejection, that rejection is traversed by the present response.

The claims are directed to an information processing apparatus that can make it easier to program a recording device. With respect to Figure 1 in the present specification as a non-limiting example, an information processing apparatus such as a computer 5, cell phone 1, or PDA 2 can operate to program a VCR 12 so that the VCR 12 records a specific program at a specific time. Such information processing apparatuses 1, 2, 5 can access a server, such as server 8, which stores an electronic program guide (EPG). Such information processing apparatuses 1, 2, 5 can access the EPG on the server 8 and download information of a program desired to be recorded, which information can then be provided to the recording device 12 so that the recording device can perform the recording. Such an operation provides an enhanced and simplified way for an operator of the information processing apparatuses 1, 2, 5 to select a program to be recorded and to have the recording device 12 record the selected program.

According to features in the claimed invention, an information processing apparatus acquires the control information for controlling recording of a program from a remote program information providing apparatus, converts that information into code information, and transmits the code information to the recording apparatus. The claimed features are believed to clearly distinguish over the applied art to Franco.

In that respect, applicants also note the claims are amended to clarify features recited therein, and to specifically clarify that the information processing apparatus includes a control unit that performs the acquisition and conversion, and which controls the transmission of the code information. Further, the present response sets forth new claims 7-10 for examination. Those claims are similar to amended claims 1-4, but do not recite functions with “means plus function” limitations. The claimed features are believed to clearly distinguish over Franco.

Franco is directed to a different type of device than the claimed invention and has different objectives than the claimed invention.

Franco discloses for example in Figure 1 a user 110 that can access a host system 102. That host system 102 provides information for control of a video recording device or system 120. However, Franco differs from the claimed invention in that in Franco the host system 102 sends programming data 108 directly to the video recording device or system 120. That is, in Franco the host system 102, not the user device 110, controls the recording of the video recording device or system 120.

The claim requires a different operation.

In the claimed invention, the same information processing apparatus that accesses the remote program information providing apparatus and that acquires the control information, also converts the control information into code information, and that same information processing apparatus also includes a transmission device that sends the code information to the recording apparatus. For example in Figure 1 in the present specification the computer 5 acquires control information from a remote information providing apparatus 8 for recording, converts that control information into code information, and transmits that code information to the recording apparatus. Franco does not operate in that manner.

In Franco the user 110 does not perform a conversion of control information that can control a preset recording of a program, and does not control a transmission of code information to a recording apparatus. In Franco the host system 102 performs the conversion of the control information and the transmission of the code information. In contrast to Franco, and as discussed above, in the claimed invention the same information processing apparatus performs those functions.

The claimed invention also provides a benefit with respect to the device of Franco in that in the claimed invention the recording apparatus does not have to be connected to a host system. That is, in Franco the video recording device system 120 must be connected to the host system 102 for recording. In the claimed invention the recording apparatus does not have to have any such connection. For example as shown in Figure 1 of the present specification the recording device 12 has no connection to the EPG server 8, and receives its recording information directly from an information processing apparatus such as the computer 5, cell phone 1, or PDA 2.

In view of these foregoing comments, applicants respectfully submit each of claims 1-10 distinguishes over Franco.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

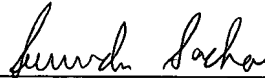
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)
BDL/SS:aif



Bradley D. Lytle
Attorney of Record
Registration No. 40,073
Surinder Sachar
Registration No. 34,423

I:\ATTYSNS\27'S\275743\275743US-AM.DOC